

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71599 of 2019

Arising Out of PS. Case No.-70 Year-2018 Thana- LAUKAHA District- Madhubani

SHIV KUMAR MANDAL S/o Uchit Lal Mandal @ Kusheshwar Mandal R/o village- Hariraha, P.S.- Laukahai, District- Madhubani, At present R/o- Thadhi, Chichorwa, P.S.- Laukahi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Bharat Bhushan(App156)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 05-03-2020 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner apprehends his arrest in connection with Laukaha P.S. Case No. 70 of 2018 corresponding to G.R. no. 319 of 2018 for the offence punishable under Section 393 of the Indian Penal Code.

The allegation is regarding unknown miscreants having intercepted the informant while he was going on a motorcycle and had also assaulted the informant, however, some people arrived there and the co-accused person namely Birendra Yadav was arrested along with a motorcycle and upon interrogation, the said co-accused person disclosed the name of the petitioner and other accused persons to be his accomplice.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely roped in the present



case and he is having a clean antecedent. It is further submitted that admittedly the stolen motorcycle has been recovered from the possession of the co-accused person namely Birendra Yadav, hence, the petitioner has got no complicity in the matter.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, coupled with the fact that the petitioner is having a clean antecedent and has been falsely roped in the present case, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner, above named, is directed to be released on anticipatory bail on furnishing bail- bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Jhanjharpur at Madhubani in connection with Laukaha P.S. Case No. 70 of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

Tiwary/-

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(Mohit Kumar Shah, J)

